

## MEMORIALS.

The Chair had the following read and ordered printed in the Journal:

(See Dallas News, p. 13, of January 20.)

(Personal.)

Weatherford, Texas, January 26, 1907.

To the President of the State Senate,  
Upper House of Representatives.

Dear Sir: My very high opinion of your love for all that is good, and knowing that you have great power in shaping legislation, causes me to write you this. There is a good number, of various denominations, of preachers who are doing mission and other purely gospel work on such small income that they can not continue that kind of work and not hurt their families if the Legislature cuts off the railroads from giving them railroad passes. I personally know what I say. However hastily or inconsiderately worded the Democratic platform, nothing is more certain than that the grand old party and the people of all parties of Texas do not want preachers of the gospel, their families or the weak mission work hurt by depriving of any help any railroad gives them by free transportation. These men of God do not pose as politicians—and the law is designated to cut off political influence—as you well know. These men who, on stunted incomes are working for us all have no lobby or no one to plead for them in Austin.

You please see they are not cut off.

Yours,

JAMES LANEY.

To Senator Meachum:

Resolved, That the Madison County Medical Association heartily indorses the Anatomical Bill and the Practice Act Bill as proposed by the Committee on State Legislation of the State Medical Association, and we urgently request our Representatives in the present Legislature to vote for and advocate these measures to the full extent of their ability.

Resolved, That our Senator and Representative be furnished a copy of this resolution.

J. E. MORRIS, President.

G. P. DAY, Secretary.

January 15, 1907.

## EIGHTEENTH DAY.

Senate Chamber,

Austin, Texas,

Thursday, January 31, 1907.

Senate met pursuant to adjournment. Lieutenant Governor A. B. Davidson in the chair.

Roll call, quorum present, the following answering to their names:

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Senter.
Green.	Skinner.
Greer.	Smith.
Griggs.	Stokes.
Grinnan.	Stone.
Harbison.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.

Absent.

Harper.

## SENATORS EXCUSED.

By unanimous consent, Senators Brachfield, Green, Greer, Looney, Senter, Skinner and Stone were excused from attendance upon the Senate for an indefinite time, they being members on the part of the Senate of the Bailey investigating committee and their absence is on account of the meeting of that committee.

Prayer by Rev. Dr. Booth of Austin.

Pending the reading of the Journal of yesterday, on motion of Senator Alexander, the same was dispensed with.

(See Appendix for committee reports, petitions and memorials.)

## BILLS AND RESOLUTIONS.

By Senator Masterson:

Senate bill No. 133, A bill to be entitled "An Act to amend Section 6, Chapter 102, of the Laws of the Twenty-sixth Legislature of an act approved May 10, 1899, being 'An Act to promote agriculture and stock raising and to prohibit the hunting with firearms or dogs upon the enclosed and posted lands of another in all counties of this State, not especially named as exempt from the provisions of this act,' so as to include Galveston county within the provisions of that act, and not as exempt from it."

Read first time, and referred to Judiciary Committee No. 2.

By Senator Kellie:

Senate bill No. 134, A bill to be entitled "An Act to amend Section 31 of an act passed by the Twenty-ninth Legislature, being Chapter 104, Acts Nineteenth Legislature, entitled 'An Act to define and provide for organizing and disciplining the militia; to prescribe the duties of the Governor, the Adjutant General and all officers and enlisted men thereof; to define military offenses; to provide for the trial and punishment thereof; to provide for the pay, transportation and subsistence of the militia when called into active service, and to repeal all laws in conflict therewith.'"

Read first time, and referred to Committee on Military Affairs.

By Senator Watson:

Senate bill No. 135, A bill to be entitled "An Act to amend Article 4367, of Chapter 3, Title XCIV, of the Revised Civil Statutes of the State of Texas, regulating the places where railroad companies chartered by the State shall keep and permanently maintain their general offices, also regulating the place where they shall keep and maintain their machine and roundhouses, and providing an adequate remedy in case the same shall be removed without the authority of law."

Read first time, and referred to Committee on Internal Improvements.

By Senator Glasscock:

Senate Joint Resolution No. 10, Amending Sections 1, 5, 8 and 18 of Article 8 of the Constitution of Texas, relating to revenue and taxation."

Read first time, and referred to Committee on Constitutional Amendments.

#### SIMPLE RESOLUTIONS.

By Senator Terrell:

Whereas, Miss L. Stanley served as private secretary for Lieutenant Governor George D. Neal for eight days during the present session of this Senate, which appointment the said Geo. D. Neal had a right to make under the rules of this Senate, therefore, be it

Resolved, That the said Miss L. Stanley be paid for her said services out of the contingent expense fund the sum of \$40.

The resolution was read, and referred to Committee on Contingent Expenses.

By Senator Holsey:

Amend the rules of the Senate by striking out rule No. 88, and inserting in lieu thereof the following:

Rule 88. That persons hereinafter named, and none other, shall be admit-

ted to the Senate Chamber while the Senate is in session, viz.:

The members and employes of the Senate; Representatives and employes of the House of Representatives; the Governor and his private secretary; Lieutenant Governor and officers of the General State Government; the President and Vice President of the United States; United States Senators and members of Congress; Governors of other States; the heads of the departments, judges of the Supreme Court and Courts of Criminal and Civil Appeals.

2. Reporters of newspapers shall be assigned appropriate and convenient seats in the Senate by the direction of the President.

3. Provided, that no newspaper reporter, or any person whomsoever, who is lobbying or working for or against any pending or prospective legislative measure, shall in any event be admitted upon the floor of the Senate or the rooms leading thereto when the Senate is in session, nor shall any newspaper reporter, whose salary or compensation is paid in whole or in part by any person, corporation, firm or association other than the paper or papers for which he reports, be admitted into the hall or the rooms leading thereto when the Senate is in session.

4. It shall not be in order for the President to entertain a request, motion or resolution for the suspension of this rule or to present from the Chair the request of any member for unanimous consent.

5. It shall be the duty of the Sergeant-at-Arms and his assistant to clear the Senate Chamber of all persons not entitled to the privileges thereof five minutes before the hour of meeting.

6. Provided, that this rule shall not apply to persons who are invited to address the Senate when in session, nor shall it be construed to prevent any citizen from appearing before any of the committees of the Senate when in session. And provided further, that this rule shall not apply during the inauguration of the Governor and other public ceremonies provided for by resolution of the Senate.

The Chair suggested that the resolution should be referred to the Committee on Rules, and

Senator Holsey desired action on the resolution at once, stating that he had given notice, as provided for in the rules of the Senate, of the introduction of this resolution.

Senators Willacy and Terrell raised the point of order that the resolution should lie over for one day, in that this resolution was not an exact copy of the

previous one that notice had been given of the introduction.

Senator Smith then moved that the resolution be not referred to the committee, but lie on the table subject to call, at a time when it could be called up under the rules of the Senate.

The Chair then stated that, in that the morning call had not been concluded, the resolution would lie on the table.

The Chair then called for bills and resolutions, and, after the introduction of several bills, the Chair announced the conclusion of the morning call.

#### SENATE BILL NO. 90.

On motion of Senator Paulus, the special order of business (Senate bills Nos. 13 and 69) was suspended, and the Senate took up, out of its order, Senate bill No. 90.

The committee report was adopted.

On motion of Senator Paulus, the Senate rule requiring committee reports to lie over for one day was suspended, for the purpose of considering this bill, the committee having reported the bill today.

The Chair laid before the Senate, on second reading, Senate bill No. 90 (see committee reports in Appendix for caption).

Senator Paulus offered the following amendment, which was adopted:

Amend by adding the following:

"Section 18. The fact that at the regular term of commissioners court of Lavaca county to convene on second Monday in February, the road overseers for said county must be named and the road hands appointed, makes it an imperative public necessity that the law requiring bills to be read on three several days be suspended, and said rule is hereby suspended, and that this act take effect and be in force from and after its passage, and it is hereby so enacted."

Bill read second time, and ordered engrossed.

On motion of Senator Paulus, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Alexander.	Holsey.
Barrett.	Hudspeth.
Chambers.	Kellie.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Griggs.	Murray.
Grinnan.	Paulus.
Harbison.	Smith.

Terrell.	Watson.
Veale.	Willacy.

Absent.

Harper.	Stokes.
---------	---------

Absent—Excused.

Brachfield.	Senter.
Green.	Skinner.
Greer.	Stone.
Looney.	

The bill was read third time, and passed by the following vote:

Yeas—22.

Alexander.	Kellie.
Barrett.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Murray.
Glasscock.	Paulus.
Griggs.	Smith.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Absent.

Brachfield.	Senter.
Green.	Skinner.
Greer.	Stokes.
Harper.	Stone.
Looney.	

#### FIRST HOUSE MESSAGE.

Hall of the House of Representatives,  
Austin, Texas, January 31, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

House bill No. 3, A bill to be entitled "An Act to determine the names and lawful heirs of persons dying intestate and the interest of said heirs in the property of such deceased persons and providing the manner of determining same; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

House bill No. 29, A bill to be entitled "An Act to amend Article 939, Title XVII, Chapter 16, of the Criminal Code, 1895, relating to embezzlement by factor and commission merchant."

House bill No. 49, A bill to be entitled "An Act to prohibit the selling, giving or delivery of any spirituous, vinous or intoxicating liquors to any person under the age of twenty-one years without the written consent of the parent or guardian of such minor or some one

standing in their place or stead, and to prohibit the causing of or being interested in any such sale, gift or delivery, and to prohibit the agents of any express company or common carrier from knowingly making such sale, gift or delivery or causing the same to be done or being interested therein, and providing penalties therefor."

House bill No. 84, A bill to be entitled "An Act to amend Article 388 of the Penal Code of the State of Texas, so as to make it unlawful to bet at a game played with dice at any place."

House bill No. 91, A bill to be entitled "An Act to amend Articles 1821, 1822 and 1830, of Title XXXVIII of the Revised Civil Statutes of the State of Texas, relating to estates of decedents and escheated estates, and declaring an emergency."

House bill No. 128, A bill to be entitled "An Act to repeal Subdivisions one (1), five (5), six (6), eight (8), eleven (11), twelve (12), thirty-one (31), thirty-three (33), thirty-five (35), thirty-eight (38), thirty-nine (39), fifty-one (51), fifty-five (55), fifty-nine (59), and to amend Subdivisions thirteen (13) of Section one (1) of an act entitled 'An Act to amend Article 5049, Chapter one (1), Title one hundred and four (104) of the Revised Civil Statutes, relating to general occupation taxes,' Chapter eighteen (18) of the Acts of the First Special Session of the Twenty-fifth Legislature, relating to taxes on certain occupations."

Respectfully,

BOB BARKER,

Chief Clerk, House of Representatives.

#### BILLS READ AND REFERRED.

The Chair (Lieutenant Governor Davidson) had read and referred, after their captions had been read, the following bills:

House bill No. 91, referred to Judiciary Committee No. 1.

House bill No. 49, referred to Judiciary Committee No. 2.

House bill No. 128, referred to Finance Committee.

House bill No. 84, referred to Judiciary Committee No. 2.

House bill No. 29, referred to Judiciary Committee No. 2.

House bill No. 3, referred to Judiciary Committee No. 1.

#### EXECUTIVE SESSION.

The Chair here announced that the hour of 11 o'clock had arrived, which was the time that the Senate had previously designated as the time for the Senate to

sit in executive session for the purpose of considering the appointments sent to the Senate on yesterday. The Senate was cleared of all not entitled to remain.

In executive session, the following appointments were confirmed:

W. P. Mahaffey of Taylor county as district attorney of the Forty-second Judicial District, vice W. J. Cunningham, resigned.

Commissioners of Pilots for the Port of Galveston—John Young, Robt. B. Strickland, M. O. Nobbe, J. M. O. Menard, J. H. Fricke.

#### IN THE SENATE.

#### BILL RE-REFERRED.

Senator Griggs moved that Senate bill No. 88, which had been referred to Committee on Constitutional Amendments, be withdrawn from that committee and re-referred to Judiciary Committee No. 1.

The motion was adopted.

#### SENATE BILL NO. 28.

The Chair laid before the Senate, on second reading,

Senate bill No. 28, A bill to be entitled "An Act to prevent any person, or association of persons, firms or corporations from charging a higher rate of interest than 10 per cent, and providing a penalty therefor."

The following amendment was pending:

Amend the bill in line 14 of Section 1, after the word "forfeit," by striking out the words "both the principal and," and insert in lieu thereof the word "double."

The amendment was read and adopted.

Senator Chambers offered the following amendment, which was adopted:

Amend Senate bill No. 28, page 1, line 15, by adding after word "interest" "and such usury may be plead in said suit or in a separate suit to recover double the amount of interest and though such interest may have been paid, said penalty may be recovered by separate suit, if filed within two years."

Senator Glasscock offered the following amendment:

Amend Section 1, page 1, of the printed bill by adding to the end of same the following words: "Provided, the provisions of this act shall not apply to licensed pawnbrokers doing business in this State."

Senator Chambers moved to table the amendment, which motion was adopted.

Senator Smith offered the following amendment, which was adopted:

Amend the bill by adding to Section 1 thereof, as amended, the following: "The provisions of this act shall not apply to commercial paper in the hands of innocent purchasers or holders, where it does not appear upon its face to be usurious, but the makers of such paper shall have the right to sue for and recover of the original payee of such paper the penalties given by this act for charging and receiving usurious interest as defined herein in any court having jurisdiction thereof."

Bill read second time, and ordered engrossed.

On motion of Senator Chambers, the constitutional rule requiring bills to be read of three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—23.

Alexander.	Masterson.
Barrett.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Smith.
Griggs.	Stokes.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Brachfield.	Looney.
Green.	Senter.
Greer.	Skinner.
Harper.	Stone.

The bill was read third time, and passed by the following vote:

Yeas—21.

Alexander.	Mayfield.
Barrett.	Meachum.
Chambers.	Murray.
Cunningham.	Paulus.
Faust.	Smith.
Griggs.	Stokes.
Grinnan.	Terrell.
Holsey.	Veale.
Hudspeth.	Watson.
Kellie.	Willacy.
Masterson.	

Nays—2.

Glasscock.	Harbison.
------------	-----------

Absent.

Brachfield.	Looney.
Green.	Senter.
Greer.	Skinner.
Harper.	Stone.

Senator Chambers moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 94.

On motion of Senator Meachum, the pending order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 94.

The Chair laid before the Senate, on second reading,

Senate bill No. 94, A bill to be entitled "An Act to amend Article 325 of Title V, Chapter 4, of the Code of Criminal Procedure of the State of Texas, pertaining to the taking of bail in felony cases when the court is in session, and authorizing the sheriff or other peace officer having in custody the accused to take a bail bond, and repealing all laws in conflict herewith."

(Senator Willacy in the chair.)

Senator Smith offered the following amendment:

Amend Section 1 of the bill, line 22, by adding after the word "some" the following, "and the court where bond is taken, while it is in session."

Senator Meachum moved to table the amendment, which motion was adopted by the following vote:

Yeas—15.

Alexander.	Meachum.
Chambers.	Paulus.
Cunningham.	Stone.
Faust.	Terrell.
Glasscock.	Veale.
Greer.	Watson.
Holsey.	Willacy.
Hudspeth.	

Nays—12.

Barrett.	Masterson.
Brachfield.	Mayfield.
Green.	Murray.
Harbison.	Skinner.
Kellie.	Smith.
Looney.	Stokes.

Absent.

Griggs.	Harper.
Grinnan.	Senter.

The bill was read second time, and ordered engrossed.

#### SENATE BILL NO. 36.

On motion of Senator Terrell, the pending order of business (Senate bill No. 13) was suspended, and the Senate

took up, out of its order, Senate bill No. 36.

The Chair laid before the Senate, on third reading,

Senate bill No. 36, A bill to be entitled "An Act to amend Article 3049, of Chapter 2, Title LVIII, Revised Civil Statutes of the State of Texas, relating to insurance, and prescribing a penalty for failure to comply with same."

The bill being on third reading,

Senator Terrell offered the following amendment:

Amend the bill by adding Section 2 to read as follows, to wit:

"Sec. 2. The fact that under the present law cases affected by this act arising in counties where there are resident Federal courts are being transferred from State to Federal courts, while such can not be done in counties which have no such Federal courts, and the further fact that litigation affected by this act should not be removed from State to Federal courts, creates an emergency and imperative public necessity that the constitutional rule which requires bills to be read on three several days be suspended, and said rule is hereby suspended, and that said act take effect and be in force from and after its passage, and it is so enacted."

The amendment was adopted by the following vote (a two-thirds vote being required):

Yeas—28.

Alexander.	Kellie.
Barrett.	Looney.
Brachfield.	Masterson.
Chambers.	Mayfield.
Cunningham.	Meachum.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Nays—1.

Murray.

Absent.

Harper. Senter.

Senator Chambers offered the following amendment:

Amend Senate bill No. 36, page 1, line 9, by adding after the word "same," "and declaring an emergency."

The amendment was adopted by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Absent.

Harper. Senter.  
Looney.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Absent.

Harper. Senter.  
Looney.

Senator Terrell moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 94.

On motion of Senator Meachum, the pending order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 94.

Senator Meachum moved to reconsider the vote by which Senate bill No. 94 was previously ordered engrossed on to-day.

The motion was adopted.

The Chair laid before the Senate, on second reading,

Senate bill No. 94 (see former proceeding of today).

Senator Meachum offered the following amendment, which was adopted:

Amend the bill by adding after the word "repealed," in line 28, the following:

"Sec. 2. The fact that under the present law great inconvenience is occasioned and delay caused in the administration of justice requires immediate action upon this subject, and creates an emergency and an imperative public necessity that the rule requiring bills to be read on three several days be suspended and said rule is hereby suspended, and that this act take effect and be in force from and after its passage, and it is so enacted."

Senator Meachum offered the following amendment, which was adopted:

Amend the caption after the word "herewith" by adding "and declaring an emergency."

Bill read second time, and ordered engrossed.

On motion of Senator Meachum, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—29.

Alexander.	Looney.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.
Kellie.	

Absent.

Harper. Senter.

The bill was read third time, and passed by the following vote:

Yeas—28.

Alexander.	Harbison.
Barrett.	Holsey.
Brachfield.	Hudspeth.
Chambers.	Kellie.
Cunningham.	Masterson.
Faust.	Mayfield.
Glasscock.	Meachum.
Green.	Murray.
Greer.	Paulus.
Griggs.	Skinner.
Grinnan.	Smith.

Stokes.  
Stone.  
Terrell.

Veale.  
Watson.  
Willacy.

Absent.

Harper. Senter.  
Looney.

Senator Meachum moved to reconsider the vote by which the bill was passed, and lay that motion on the table.

The motion to table prevailed.

#### SENATE BILL NO. 25.

On motion of Senator Alexander, the regular order of business (Senate bill No. 13) was suspended, and the Senate took up, out of its order, Senate bill No. 25.

The Chair laid before the Senate, on second reading,

Senate bill No. 25, A bill to be entitled "An Act declaring void sales of portions of stocks of merchandise otherwise than in the ordinary course of trade in the usual and regular prosecution of the sellers' business, and sales of entire stock of merchandise in bulk, unless made in compliance with certain named conditions, and prescribing such conditions and regulations according to which such sales may be made valid."

Senator Alexander offered the following amendment, which was adopted:

Amend Senate bill No. 25 by adding:

"Sec. 3. The fact that there is no adequate law upon the statutes of this State regulating the sales of stocks of merchandise in bulk and preventing fraudulent sales of such stocks creates an emergency and an imperative public necessity requiring that the constitutional rule requiring bills to be read on three several days be suspended, and the same is hereby suspended, and that this act take effect from and after its passage, and it is so enacted."

Senator Alexander offered the following amendment, which was adopted:

Amend Senate bill No. 25 by adding after the word "valid," page 1, line 11, in the title of the bill, "and with an emergency clause."

Senator Murray here moved that further consideration of the bill be postponed for today, and be made a special order for next Wednesday morning at the conclusion of the morning call.

The motion was adopted.

#### HOUSE BILL NO. 27.

On motion of Senator Hudspeth, the pending order of business (Senate bill No. 13) was suspended, and the Senate

took up, out of its order, House bill No. 27.

The committee report was adopted.

The Chair laid before the Senate, on second reading,

House bill No. 27, A bill to be entitled "An Act for the relief of railway corporations and belt and suburban railway companies having charters granted or amended since the first day of January, 1887, and which have failed or are about to fail to construct their roads and branches, or any part thereof, within the time required by law."

Bill read second time, and passed to a third reading.

On motion of Senator Hudspeth, the constitutional rule requiring bills to be read on three several days was suspended, and the bill put on its third reading and final passage by the following vote:

Yeas—28.

Alexander.	Kellie.
Barrett.	Masterson.
Brachfield.	Mayfield.
Chambers.	Meachum.
Cunningham.	Murray.
Faust.	Paulus.
Glasscock.	Skinner.
Green.	Smith.
Greer.	Stokes.
Griggs.	Stone.
Grinnan.	Terrell.
Harbison.	Veale.
Holsey.	Watson.
Hudspeth.	Willacy.

Absent.

Harper.	Senter.
Looney.	

Here Senator Hudspeth moved to reconsider the vote by which the bill was passed to a third reading and spread that motion on the Journal.

The motion was adopted.

#### SENATE BILL NO. 13.

The Chair laid before the Senate, regular order,

Senate bill No. 13, A bill to be entitled "An Act regulating the granting of divorce by annulling marriage, dissolving the bonds of matrimony, the practice in relation to the trial of divorce suits; prescribing penalties for the violation thereof, and with an emergency clause."

The following amendment by Senator Terrell was pending:

Amend Section 1 by striking out all of said section beginning with the first word "in" on line 13.

#### ADJOURNMENT.

On motion of Senator Terrell, the Senate, at 12:45 o'clock, adjourned until tomorrow morning at 10 o'clock.

#### APPENDIX.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, January 30, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 52, A bill to be entitled "An Act to define the duties of railroad companies in this State with respect to shipping live stock, and to require that they promptly furnish cars for such shipments, and fix penalties for failure of such duty,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, January 31, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 80, A bill to be entitled "An Act creating the Blossom Independent School District in Lamar county, Texas, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, January 30, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 99, A bill to be entitled "An Act to amend Section 3 of Chapter 58 of the Acts of the Regular Session of the Twenty-ninth Legislature of the State of Texas, reorganizing the Twenty-third, Twenty-fourth, Twenty-fifth, Thirty-sixth and Forty-ninth Judicial Districts of the State of Texas, and fixing the time of holding district court therein, so as to change the time of holding district court in Gonzales county, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, January 30, 1907.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 69, A bill to be entitled "An Act to repeal Chapter 32 of the Acts of the Twenty-eighth Legislature, page 241, entitled 'An Act to create a more efficient road law for Henderson county, creating the office of county road superintendent, prescribing his qualifications and duties; providing for working county and State convicts and delinquent poll tax payers on public roads; rewards and penalties for escaped convicts; for the appointment and duties of road overseers, and fixing amount of their pay and prescribing penalties against road overseers, hands and road superintendent, and prescribing the duties of the county attorney, grand jury and district judge in seeing its provisions enforced; fixing width of public roads, and providing how they shall be worked, graded, etc.; for the building of bridges, culverts, etc., by the lowest responsible bidder, the plan for which is furnished by the county superintendent; for the hiring of teams, tools and wagons by the county superintendent and overseers, and relieving of hands by paying \$4 per annum, and for opening up two first-class roads running east and west and north and south through the county seat; and for the appropriating of the taxes collected in each commissioners precinct; fixing the ages of persons liable to work on roads; providing for the levy of road and bridge tax, and issuance of bonds for road and bridge purposes; and fixing the bonds of the county superintendent and road overseers and penalties to be recovered in case of a breach thereof; and providing that, in cases where there is a conflict in this and the General Laws of this State, this supersedes the General Law, and where there is no conflict the General Law still remains in force, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

Committee Room,  
Austin, Texas, January 31, 1907.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

Senate bill No. 28, A bill to be entitled "An Act to prevent any person or association of persons, firm or corporation

from charging a higher rate of interest than 10 per cent per annum, and providing a penalty therefor, and declaring an emergency,"

And find the same correctly engrossed.  
CUNNINGHAM, Chairman.

(Floor Report.)

Committee Room,  
Austin, Texas, January 30, 1907.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred

Senate bill No. 90, A bill to be entitled "An Act to amend Chapter 80 of an act passed by the Twenty-sixth Legislature at its Regular Session of 1899, and amended by an act passed by the Twenty-eighth Legislature at its Regular Session, entitled 'An Act to create a more efficient road system for Wharton county and Lavaca county in the State of Texas, and making county commissioners of said counties ex-officio road commissioners, and prescribing their duties as such, and providing for their compensation, defining their powers and duties as such, and providing for the appointment of road overseers and defining their duties, and for working of county convicts on the public roads of such counties, and providing for the payment of officers' fees and rewards and penalties for said convicts, and to provide for summoning of teams for road work and allowance for time of road service for same, and fixing penalties for violation of this act so as to exempt Lavaca county from the provisions of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

GREEN, Chairman.

Committee Room,  
Austin, Texas, January 30, 1907.  
Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 58, A bill to be entitled "An Act to amend Article 21 of Title IV of the Revised Civil Statutes of Texas, and to create the Sixth Supreme Judicial District of Texas, and provide for the organization of a Court of Civil Appeals within and for the Sixth Supreme Judicial District of Texas,"

Have had the same under consideration, and I am instructed to report it

back to the Senate with the recommendation that it do pass.

WATSON, Chairman.

(Majority Report.)

Committee Room,  
Austin, Texas, January 29, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 50, A bill to be entitled "An Act making it unlawful to deal in futures, post or publish future quotations, permit the use of property for such purpose, furnish telegraph or telephone messages relative to futures, permit telegraph or telephone wires, instruments or equipments to be used for transmitting or receiving such messages, or to remain in any place where such business is transacted, and defining such offenses and prescribing penalties therefor and procedure in trials of such offenses, and to prohibit by writs of injunction the use of any property prohibited by any provisions of this act,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

TERRELL, Acting Chairman.

(Minority Report.)

Committee Room,  
Austin, Texas, January 29, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: A minority of your Judiciary Committee No. 2, to whom was referred Senate bill No. 50, A bill to be entitled "An Act making it unlawful to deal in futures, post or publish future quotations, permit the use of property for such purpose, furnish telegraph or telephone messages relative to futures, permit telegraph or telephone wires, instruments or equipments to be used for transmitting or receiving such messages, or to remain in any place where such business is transacted, and defining such offenses and prescribing penalties therefor and procedure in trials of such offenses, and to prohibit by writs of injunction the use of any property prohibited by any provisions of this act,"

Have had the same under consideration, and beg leave to dissent from the majority report, with the recommendation that it do not pass, and assign the following reasons therefor:

1. We believe and so recommend that the bucket shop exchange should be suppressed.

2. The reported bill seeks to suppress all exchanges, including what is termed the legitimate cotton and grain exchanges.

The suppression of the latter class of exchanges involves questions of great importance to the agricultural interests of the State, and it is, to say the least of it, so questionable whether a benefit or injury will result to the cotton producers of the State by such suppression that we do not believe in making or recommending the making of experiment under present conditions. In doubt, as to result, we prefer a regulation of these exchanges rather than their suppression, for we greatly fear their entire suppression in Texas will tend to place the price of daily sales of cotton largely in the hands of a few, by the exclusion of the hourly market reports from the general public.

We will prepare and offer as a substitute for the bill one which will suppress the bucket shops and regulate other exchanges.

SMITH,  
WATSON,  
MEACHUM,  
ALEXANDER.

(Floor Report.)

Committee Room,  
Austin, Texas, January 30, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Committee on Constitutional Amendments, to whom was referred

Senate Joint Resolution No. 5, "To amend Section 18, Article 5, of the Constitution of the State of Texas, so as to provide for subsequent redistricting of a county into commissioners precincts, defining the manner thereof for submitting same to the electors of the State and making an appropriation therefor,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

LOONEY, Acting Chairman.

#### PETITIONS.

The Chair laid the following before the Senate, and asked that same be published in the Journal:

Resolutions passed by the Travelers' Protective Association of America, Texas Division, in annual convention, at Houston, May 3-4, 1906.

Resolved, That the sympathies and good will of this division are hereby tendered the Railroad Commission of Texas

in the pending effort to readjust the rates of passenger fares on the several lines in the State.

Resolved, That we heartily recommend, in the event of a failure to establish equitable rates of fare as contemplated, the enactment of a law by the Thirtieth Legislature, fixing a maximum rate of first-class fare of 2 cents a mile, flat, as now enjoyed by other States of the American Union.

Resolved, That Texas is big enough, populous enough and progressive enough to have the best of everything going, including railroad service.

Whereas, The orderly and regular operation of passenger trains on the several railroads of the State is absolutely essential, to the end that the people by whose grace the corporations now controlling our public highways may know how to order their business affairs, with a view to the greatest economy of time, and

Whereas, All previous efforts to secure such reasonable service as is here suggested have proved unavailing, it being claimed by at least one member of the Railroad Commission of Texas that the statutes of the State give the railroads exclusive authority to determine how and when their trains shall be moved, and

Whereas, The state of affairs complained of bear with peculiar severity upon the traveling man who must pack his grip, and arrange his route according to the published schedules of the several railroads over which he must travel, therefore, be it

Resolved, That the Texas Division, Travelers' Protective Association of America, in annual convention assembled, and on behalf of every traveling man, without regard to membership in any organization, as well as the thirty and more thousand members of this organization, whose consistent efforts have for so long a time been directed to the improvement of facilities for travel, hereby urgently call upon the Thirtieth Legislature to enact such legislation as will compel the railroads of the State of Texas to operate their advertised schedules, or, in lieu thereof, to write schedules that they can operate.

Resolved, That the legislative committee, or such other committee of this division as the State board of directors may designate, is hereby instructed to take this matter up with the Thirtieth Legislature and vigorously insist upon the traveling public being protected from the imposition for so long a time inflicted, and the State board of directors is hereby directed to appropriate from the treasury such sums as in the wisdom of said board may seem necessary

for the purpose of defraying all expense in the advancement of the cause herein referred to.

Resolved, That the State Secretary is hereby directed to furnish each member of the Thirtieth Legislature, Senate and House, with a copy of this resolution, signed by the State President and under the seal of the division.

C. Q. HORTON,

President,

FRITZ MITCHELL,

Secretary-Treasurer.

Texas Div., T. P. A. of A.

Houston, Texas, May 4, 1906.

By Senator Hudspeth:

To the Honorable Legislature, now in Session:

We, the people of West Texas, would respectfully represent that the enormous annual loss of live stock in West Texas by predatory animals is an unnecessary waste of taxable property, and that such loss is retarding the settlement and development of this part of the State, thereby depriving the State of the revenue to be derived from this property, both real and personal; that large bodies of the land are only fit for grazing and can never be thickly populated unless these wild animals are destroyed; that the settlers can not meet the problem; that individual effort is not sufficient; that large bodies of State school lands lie in the part of the State infested by these wild animals; that the values of these lands can be materially increased by their extermination, thereby increasing and benefiting the school fund; that by the extermination of these wild animals the State of Texas would within a few years collect additional taxes sufficient to pay back the amount necessary to do this work; that we consider it purely a business proposition on the part of the State, and one that will within a few years return one hundred per cent on the investment to the State annually; that it would be economy to appropriate a sufficient amount to exterminate them at as early a date as possible so as to stop the increase; that we believe that every county should be compelled to pay one-half the bounty on the wild animals killed in that county, as said county would receive in taxation as much as the State, and that if left optional with the counties some will decline to offer or pay said bounty, and as these animals are migratory, will work a hardship on the counties which pay on said scalp and on the State.

We would respectfully represent that the destruction of the wild animals will especially benefit the man with moderate

means, and that this class of people are necessary to the development of our country; that the money paid out for this work will go into the hands of the poorer or laboring class of people; that said money so spent does not leave the State, but again goes into the hands of the people; and that it is but taking it in on taxes from the people and returning it to the people for labor; and that the State will be forever benefited by increasing the revenue to the State.

Signed by 200 citizens.

By Senator Harbison:

Howe, Texas, January 30, 1907.

Hons. J. L. Harbison, J. A. L. Wolfe, B. F. Gafford, W. S. Moore, Austin, Texas.

Gentlemen: We understand there is now pending before the Legislature a bill appropriating \$5000 for the use of the Railroad Commission of Texas in the injunction case now pending in the court against the Commission, whereby the railroads seek to permanently enjoin the Commission from enforcing its rates and rules.

We think the rules and rates of the Commission should be enforced and the powers of that body enlarged.

There seems to be a disposition on the part of the railroads doing business in and through the State to defy all authorities, regardless of disastrous results to our people.

We, therefore, beg that you will give this bill your active support, and further, that the appropriation be made large enough to enable the Commission to employ a good attorney to look after Texas matters before the Interstate Commerce Commission.

Numerously signed.

#### NINETEENTH DAY.

Senate Chamber,  
Austin, Texas,  
Friday, February 1, 1907.

Senate met pursuant to adjournment.  
Lieutenant Governor A. B. Davidson  
in the chair.

Roll call, quorum present, the following answered to their names:

Alexander.	Harbison.
Barrett.	Holsey.
Chambers.	Hudspeth.
Cunningham.	Kellie.
Faust.	Looney.
Glasscock.	Masterson.
Green.	Mayfield.
Grinnan.	Meachum.

Murray.	Stone.
Paulus.	Terrell.
Senter.	Veale.
Skinner.	Watson.
Smith.	Willacy.

Absent.

Brachfield.	Harper.
Greer.	Stokes.
Griggs.	

Prayer by Rev. H. M. Sears, Chaplain of the Senate.

Pending the reading of the Journal of yesterday, on motion of Senator Stone the same was dispensed with.

(See Appendix for committee reports, petitions, etc.)

#### BILLS AND RESOLUTIONS.

By Senator Senter:

Senate bill No. 136, A bill to be entitled "An Act to regulate the powers and duties of interurban electric railway companies, to authorize them to transport passengers, freight and express as common carriers; to regulate their charges therefor; to exempt them from the control and jurisdiction of the Texas Railroad Commission with respect to the making of such charges, and to authorize suits against them for discrimination in the making of such charges."

Read the first time, and referred to Committee on Internal Improvements.

#### ADJOURNMENT.

In that there were a number of important committee meetings called for this hour,

Senator Chambers moved that the Senate adjourn until Monday morning at 10 o'clock.

The motion was adopted.

#### APPENDIX.

#### COMMITTEE REPORTS.

Committee Room,  
Austin, Texas, February 1, 1907.

Hon. A. B. Davidson, President of the Senate.

Sir: Your Judiciary Committee No. 2, to whom was referred

Senate bill No. 26, A bill to be entitled "An Act to repeal Chapter 12 of the General Laws of Texas, passed by the Twenty-seventh Legislature, page 12, Laws of 1901, and to pass in lieu thereof of this act; to create a Board of Medi-